



STATE OF MICHIGAN
**Department of
Human
Services**

Memo

GTB, Ste. 715
Lansing, MI 48909
www.michigan.gov

Office of Legal Services

Tel: 517 373 0976
Fax: 517 241-7340

To: Corbin Davis, Michigan Supreme Court Clerk Date: February 8, 2012
From: Rebekah Mason Visconti, Office of Legal Services Director
Subject: ADM File No. 2006-47

The Michigan Department of Human Services (MDHS) urges the Michigan Supreme Court to adopt and give immediate effect to proposed MCR 1.109(D), which would validate electronic signatures on court orders and other court records. Adopting proposed MCR 1.109(D) will help Michigan access federal title IV-E foster care funds. As you know, federal statutes and regulations require courts in child protective proceedings to make certain findings in valid court orders to render a child's case eligible for title IV-E funding. The federal Department of Health and Human Services requires these court orders to conform to a state's legal definition of a valid court order. See Title IV-E Foster Care Eligibility Review Guide (2006), p. 25. Currently, if a court order containing a finding required under federal law and regulation was signed electronically, federal funding for that case may be invalidated in whole or in part. Thus, adopting proposed MCR 1.109(D) would avoid any potential loss of federal title IV-E foster care funds. In addition, due to the potential loss of federal funds, MDHS urges the Court to order the new MCR 1.109(D) to take immediate effect.